

ENTERED

May 04, 2021

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

UNITED STATES OF AMERICA,

VS.

23.311 ACRES OF LAND, MORE OR
LESS, *et al*,

Defendants.

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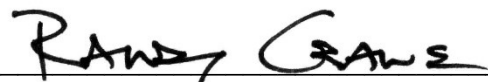
CIVIL ACTION NO. 7:19-CV-407

MINUTE ENTRY

After having reviewed Defendants' recently filed "Motion for Preliminary Injunction or Other Injunctive Relief to Restore Integrity of Flood Levee and to Safeguard Abandoned Construction Site" (Dkt. No. 57), the Court would like the parties to consider, provide briefing (if time permits) to address, and be prepared to discuss at the upcoming status conference the following:

1. Whether Plaintiff's actions have created a public or private nuisance, or both;
2. Whether Defendants must assert a counterclaim against the government for creating a nuisance before the Court can grant injunctive relief on that basis;
3. Whether any nuisance is prospective or present; and
4. Whether the Court may rely upon its "inherent" equitable power and jurisdiction over the parties and this action to grant the injunctive relief requested by Defendants.

SO ORDERED this 4th day of May, 2021, at McAllen, Texas.



Randy Crane
United States District Judge